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5 Attorneys for Complainant  
6

7 **BEFORE THE**  
8 **MEDICAL BOARD OF CALIFORNIA**  
9 **DIVISION OF MEDICAL QUALITY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation	)	NO. D-4887
12 Against:	)	
13 EARL FARRAR JORDAN, M.D.	)	L-58104
14 321 North Larchmont Boulevard #525	)	STIPULATION SURRENDERING
15 Los Angeles, California 90004	)	PHYSICIAN'S AND SURGEON'S
16 Physician's and Surgeon's	)	CERTIFICATE
17 Certificate No. C-32417,	)	
18 Respondent.	)	

19 IT IS HEREBY STIPULATED AND AGREED by and between the  
20 parties to the above-entitled proceeding that the following  
21 matters are true:

22 1. An Accusation, case number D-4887, is currently  
23 pending against Earl Farrar Jordan, M.D. (hereinafter the  
24 "respondent"), said Accusation having been filed with the Board  
25 on August 13, 1992. The accusation alleges that respondent  
26 subjected his certificate to disciplinary action under section  
27 2234(b) of the Business and Professions Code in that he has  
committed acts of gross negligence; under Business and

1 Professions Code section 2234(c) for repeated negligent acts; and  
2 under Business and Professions Code section 726, for sexual abuse  
3 and misconduct with patients, arising in the course of  
4 neurological examinations of patients A.L., D.B., G.G., and M.M.  
5 in the period 1986-1989.

6           2. The Accusation, together with all other  
7 statutorily required documents, was properly served on the  
8 respondent on or about August 13, 1992, and respondent filed his  
9 Notice of Defense contesting the Accusation on or about August  
10 18, 1992. A copy of Accusation No. D-4887 is attached and is  
11 hereby incorporated by reference as if fully set forth.

12           3. The complainant is the Executive Director of the  
13 Medical Board of California (hereinafter the "Board") and brought  
14 this action solely in his official capacity.

15           4. At all times relevant hereto, respondent has been  
16 licensed by the Medical Board of California under Physician's and  
17 Surgeon's Certificate No. C-32417.

18           5. The respondent has retained George O. West, Esq.  
19 to act as his legal counsel in this matter.

20           6. The respondent and his attorney have fully  
21 discussed the charges contained in Accusation number D-4887, and  
22 the respondent has been fully advised regarding his legal rights  
23 and the effects of this stipulation.

24           7. Respondent understands the nature of the charges  
25 alleged in the Accusation as constituting causes for imposing  
26 discipline upon his Physician's and Surgeon's Certificate.  
27 Respondent is fully aware of his right to a hearing on the

1 charges contained in said Accusation, his right to confront and  
2 cross-examine witnesses against him, his right to  
3 reconsideration, to appeal and any and all other rights which may  
4 be accorded him under the California Administrative Procedure Act  
5 and, with this in mind, freely, voluntarily and irrevocably  
6 waives and give up such rights.

7           8. Inasmuch as the respondent wishes to retire from  
8 the practice of medicine, the complainant and respondent have  
9 agreed to resolve this matter without a hearing or further  
10 administrative proceedings.

11           9. The respondent agrees to withdraw his Notice of  
12 Defense and request for hearing in this case and to surrender  
13 Physician's and Surgeon's Certificate No. C-32417 effective  
14 ninety (90) days from the effective date of this Order.

15           10. Respondent understands and agrees that in the  
16 event he seeks to re-enter the profession of medicine, or applies  
17 for any other license to practice any of the healing arts in this  
18 or any other state, all of the charges and allegations contained  
19 in case number D-4887 shall be deemed admitted as true by the  
20 respondent without the need for further proof or evidentiary  
21 hearing and that respondent has thereby subjected himself to  
22 disciplinary action. Respondent agrees to waive any defenses  
23 based on the Doctrine of Laches or any other theory involving the  
24 passage of time between the date of the offenses and the date of  
25 their legal resolution.

26           11. This stipulation shall not be admissible in any  
27 subsequent civil or criminal proceedings to which the State of

1 California, the Medical Board, its component agencies or  
2 employees are not parties.

3 12. Respondent shall have ninety (90) days from the  
4 effective date of this order to wind up his medical practice.  
5 During that period he shall retain his right to practice medicine  
6 with the proviso that he shall have a third party present at all  
7 times while examining or treating patients. The presence of a  
8 third party shall be documented in each instance by a signed and  
9 dated statement by the patient attesting that he or she was  
10 examined and treated in the presence of a third party, whose name  
11 and capacity shall be noted in the document. Such witness  
12 statements shall be made part of the patient's file and shall be  
13 produced for inspection immediately upon the request of an  
14 authorized representative of the Board. Failure to produce a  
15 signed witness statement upon demand shall be considered  
16 conclusive evidence that a patient was examined or treated  
17 without a third party present and shall result in the immediate  
18 suspension of the respondent's license privileges.

19 13. This stipulation shall be subject to the approval of  
20 the Board. If the Board fails to adopt this stipulation as its  
21 Order, the stipulation shall be of no force or effect for either  
22 party, nor shall it be mentioned or referred to in any legal  
23 action between the parties.

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**DATED:**

*Earl Farnham Jordan*  
EARL FARNHAM JORDAN M.D.

**DATED:**

March 4, 1993

George O. Wier

George O. West  
Attorney for Respondent

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ENDORSEMENT

The attached stipulation is hereby respectfully  
submitted for the consideration of the Board.

DATED: March 5, 1993.

DANIEL E. LUNGREN, Attorney General  
of the State of California

Robert M. Bell

ROBERT MCKIM BELL  
Deputy Attorney General

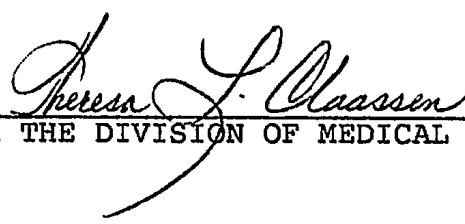
Attorneys for Complainant

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DECISION AND ORDER

The foregoing Stipulation Surrendering Physician's and Surgeon's Certificate in case number D-4887 is hereby adopted as by the Division of Medical Quality of the Medical Board of California as its order in this case. The surrender of the respondent's certificate shall be effective on the ninetieth (90th) day hereafter, that is, May 30, 1993.

Made this 30th day of April, 1993.

  
FOR THE DIVISION OF MEDICAL QUALITY

Attachment: Accusation D-4887

**Attorneys for Complainant**

In the Matter of the Accusation  
Against:

EARL FARRAR JORDAN, M.D.  
321 North Larchmont Boulevard #5 25  
Los Angeles, California 90004

Physician's and Surgeon's  
Certificate No. C-32417,

Respondent.

A C C U S A T I O N

**Respondent.**

**PARTIES**

2. On or about July 7, 1970, Physician's and Surgeon's Certificate No. C-32417 was issued by the Board to Earl Farrar Jordan, M.D. (hereinafter "respondent"), and at all times relevant to the charges herein brought, said license has been in

1 full force and effect.

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3

JURISDICTION

4

5 3. This accusation is brought under the authority of  
6 the following sections of the California Business and Professions  
7 Code (hereinafter "Code"):

8

9 4. Section 2227 provides that the Board may revoke,  
10 suspend for a period not to exceed one year, or place on  
11 probation, the license of any licensee who has been found guilty  
12 under the Medical Practice Act.

13

14 5. Section 2234 provides that unprofessional conduct  
15 includes, but is not limited to, the following:

16

17 "(a) Violating or attempting to violate, directly or  
18 indirectly, or assisting in or abetting the violation of, or  
19 conspiring to violate, any provision of this chapter.

20

21 "(b) Gross negligence.

22

23 "(c) Repeated negligent acts.

24

25 "(d) Incompetence.

26

27 "(e) The commission of any act involving dishonesty or  
corruption which is substantially related to the  
qualifications, functions, or duties of a physician and  
surgeon.

28

29 "(f) Any action or conduct which would have warranted  
the denial of a certificate."

30

31 6. Section 726 of the Business and Professions Code  
32 provides that the commission of any act of sexual abuse,  
33 misconduct, or relations with a patient, client, or customer

1 which is substantially related to the qualifications, functions,  
2 or duties of the occupation for which a license was issued  
3 constitutes unprofessional conduct and grounds for disciplinary  
4 action for any person licensed under this division, under any  
5 initiative act referred to in this division and under Chapter 17  
6 (commencing with Section 9000) of Division 3.

7  
8 FIRST CAUSE OF ACTION

9 (Repeated Acts of Gross Negligence)

10 7. Respondent Earl Farrar Jordan, M.D. is subject to  
11 disciplinary action under section 2234(b) of the Business and  
12 Professions Code in that he has committed acts of gross  
13 negligence. The circumstances are as follows:

14 A. On or about November 20, 1986, during a  
15 neurological exam of patient A.L., respondent orally  
16 copulated and attempted to orally copulate the patient.

17 B. On or about April 4, 1988, during a neurological  
18 exam of patient D.B., respondent orally copulated and  
19 attempted to orally copulate the patient, and fondled the  
20 patient's scrotum and penis.

21 C. On or about August 16, 1988, during a neurological  
22 exam of patient G.G., respondent attempted to orally  
23 copulate the patient, and fondled the patient's penis.

24 D. On or about January 24, 1989, during a  
25 neurological exam of patient M.M., respondent orally  
26 copulated and attempted to orally copulate the patient.

27 E. On or about January 31, 1989, during a

1 neurological exam of patient M.M., respondent fondled the  
2 patient's penis to ejaculation.

3 F. Each act of respondent alleged above is an extreme  
4 departure from the ordinary standard of care in the medical  
5 community.

6  
7 SECOND CAUSE OF ACTION

8 (Repeated Negligent Acts)

9 8. Respondent is further subject to disciplinary  
10 action under Business and Professions Code section 2234(c) for  
11 repeated negligent acts. The circumstances are as follows:

12 A. Paragraphs 7A through 7E inclusive are  
13 incorporated here by this reference.

14 B. The acts of respondent alleged above are repeated  
15 departures from the ordinary standard of care in the medical  
16 community.

17  
18 THIRD CAUSE OF ACTION

19 (Sexual Abuse of Patients)

20 9. Respondent is further subject to discipline by the  
21 division pursuant to Business and Professions Code section 726,  
22 for sexual abuse and misconduct with patients. The circumstances  
23 are as follows:

24 A. Paragraphs 7A through 7E inclusive are  
25 incorporated here by this reference.

26 B. Oral copulation, attempted oral copulation, and  
27 fondling a patient's scrotum and penis, is sexual abuse and

1 sexual misconduct, and unprofessional conduct for a  
2 physician and surgeon.

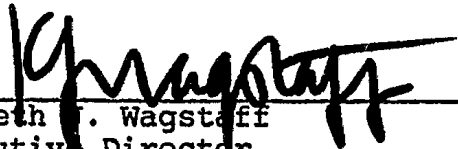
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4 PRAYER

5 WHEREFORE, the complainant requests that a hearing be  
6 held on the matters herein alleged, and that following said  
7 hearing, the Board issue a decision:

8 1. Revoking or suspending Physician's and Surgeon's  
9 Certificate Number C-32417, heretofore issued to respondent Earl  
10 Farrar Jordan, M.D.;

11 2. Taking such other and further action as the Board  
12 deems proper.

13 DATED: August 13, 1992.

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16   
17 Kenneth F. Wagstaff  
18 Executive Director  
19 Medical Board of California  
20 Department of Consumer Affairs  
21 State of California

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27 Complainant